

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

CRAIG CUNNINGHAM,

Plaintiff,

V.

**LIFESTYLES DEVELOPMENT, LLC,
AND FLORIDA VACATION VILLAS
CLUB, INC., RCI, LLC DBA RESORT
CONDOMINIUMS INTERNATIONAL,
LLC, DAVID PERME, ROBERT
VERKAIK, AND BRIDGET
PASQUARELLO,**

Defendants.

CASE NO. 4:19-CV-00006-ALM-CAN

JOINT MOTION TO DISMISS WITH PREJUDICE

COMES NOW, Plaintiff, Craig Cunningham (“Cunningham”), and Defendant, RCI, LLC (“RCI”), filing this Joint Motion to Dismiss with Prejudice and would respectfully show the Court as follows:

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties hereby stipulate to the dismissal of any and all claims asserted by Cunningham against RCI with prejudice to refiling of same and request that the Court enter the Order of Dismissal submitted herewith dismissing all such claims. Cunningham and RCI will bear their own costs and fees.

Furthermore, the parties consent to the Court retaining jurisdiction over this case for the purpose of enforcing their Confidential Settlement Agreement and Release of Claims (“Settlement Agreement”). Pursuant to that consent, the parties request that the Court retain jurisdiction to enforce the terms of the Settlement Agreement reached by the parties in this case. *See Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381-82 (1994).

WHEREFORE, Plaintiff, Craig Cunningham, and Defendant, RCI, LLC, respectfully request that the Court enter the Order of Dismissal submitted herewith dismissing all Cunningham's claims against RCI with prejudice and retaining jurisdiction over the parties to enforce the terms of their Settlement Agreement.

Dated: January 16, 2020.

BAKER & HOSTETLER, LLP

By: /s/ Bradley K. Jones

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PLAINTIFF, PRO SE

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2020, copies of this pleading have been served upon all parties or their attorneys contemporaneously with or before the filing of this pleading, in a manner authorized by Federal Rule of Civil Procedure 5(b)(1), by the Court's CM/ECF system.

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